

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

• •

V.

: CRIMINAL NO. 13-cr-669-CDJ

JAMAHL SIMMONS

:

ORDER

AND NOW, this day of , 2014, it is hereby **ORDERED** and **DECREED** that Defendant Jamahl Simmons' Motion for Leave to file a Post-Hearing Memorandum in Support of Defendant's Motion to Suppress is **GRANTED** and Defense Counsel may file a post-hearing memorandum within twenty (20) days of receipt of the transcripts of the September 9, 2014 suppression hearing. If the defense files a post-hearing memorandum, the Government shall have seven (7) days for a response.

By the Court:

Jones, U.S. District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|---------------------------------|----------|-----------------------------------|
| UNITED STATES OF AMERICA | : | |
| v. | : | CRIMINAL NO. 12-cr-669-CDJ |
| JAMAHL SIMMONS | : | |

**MOTION FOR LEAVE TO FILE A POST-HEARING MEMORANDUM
IN SUPPORT OF DEFENDANT'S MOTION TO SUPPRESS**

Defendant, Jamahl Simmons, by his undersigned counsel, moves for leave to file a post-hearing memorandum in support of Defendant's Motion to Suppress , as follows:

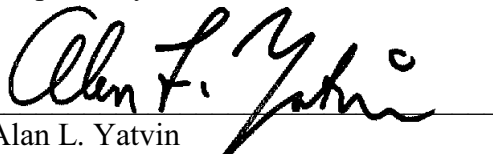
1. On September 9, 2014, a hearing on Defendant's Motion to Suppress Evidence was held.
2. Defendant was represented at said hearing by Robert Miller, Esquire.
3. Subsequent to the hearing, Mr. Miller was permitted to withdraw as counsel.
4. Defendant requested and was given leave to represent himself on or about September 16, 2014.
5. Undersigned counsel was appointed pursuant to the Criminal Justice Act, to serve as back-up counsel on or about September 18, 2014.
6. On October 2, 2014, after meeting with undersigned counsel, Defendant advised the Court that he no longer wished to represent himself and wished to have counsel serve as his counsel in his matter.
7. The Court consented to this request.
8. Undersigned counsel filed a request for the transcripts of the suppression hearing on October

7, 2014.

9. Undersigned counsel met with Defendant at the Federal Detention Center on October 15, 2014.
10. Undersigned counsel has requested, but not yet received prior counsel's file.
11. Because he did not attend the hearing, and has not yet had an opportunity to read the transcripts of the suppression hearing, undersigned counsel does not know whether any legal or factual issues arose at or as a result of the hearing which should be addressed in a post-hearing memorandum.
12. The Government does not oppose this motion, but requests seven (7) days within which to respond if the defense files a post-hearing motion.
13. In light of the nature of this motion and its uncontested nature, it is respectfully submitted that no memorandum or brief is required, and leave is requested to dispense with the memorandum and brief requirements of E.D.Pa. Loc. Crim. R. 12.1.

WHEREFORE, defendant Jamahl Simmons prays this Honorable Court grant his counsel leave to file a post-hearing memorandum in support of Defendant's Motion to Suppress within twenty (20) days of receipt of the suppression hearing transcript.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alan L. Yatvin", is written over a horizontal line.

Alan L. Yatvin
Attorney for Defendant Jamahl Simmons

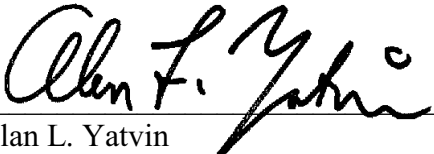
October 16, 2014

CERTIFICATE OF SERVICE

I, Alan Yatvin, Esquire, do hereby certify that on this date, a true and correct copy of the foregoing has been filed electronically by ECF, and is also being served on the government by ECF to:

Sozi Pedro Tulante, AUSA
United States Attorney's Office
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106

October 16, 2014


Alan L. Yatvin